

**CITY OF EL PASO, TEXAS  
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Planning, Research & Development

**AGENDA DATE:** Introduction: October 11, 2005  
Public Hearing: November 1, 2005

**CONTACT PERSON/PHONE:** Christina Valles, 541-4930

**DISTRICT(S) AFFECTED:** 5

**SUBJECT:**

An Ordinance changing the zoning of a 2.7619 acre portion of Lot 1, Block 10, Newport Estates Unit Two, El Paso, El Paso County, Texas from A-O/sc (Apartment-Office/special contract) to C-1/sc (Commercial/special contract). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 2200 Block of Beachfront. Applicant: SEAB, L.P. ZON05-00085 (District 5)

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** George Sarmiento, AICP

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE CHANGING THE ZONING OF A 2.7619 ACRE PORTION OF LOT 1, BLOCK 10, NEWPORT ESTATES UNIT TWO, EL PASO, EL PASO COUNTY, TEXAS FROM A-O/SC (APARTMENT-OFFICE/SPECIAL CONTRACT) TO C-1/SC (COMMERCIAL/SPECIAL CONTRACT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

**WHEREAS**, upon full review of the record, to include citizen input and recommending body reports, City Council has reasonably determined that the proposed change in zoning will not be a detriment to or incompatible with adjacent land uses or adverse to the public welfare, and should be approved as provided for herein.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the zoning of *a portion of Lot 1, Block 10, Newport Estates Unit Two, El Paso, El Paso County, Texas*, more particularly described in Exhibit 'A', be changed from A-O/sc (Apartment-Office/special contract) to C-1/sc (Commercial/special contract), within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

**PASSED AND APPROVED this \_\_\_\_\_ day of October, 2005.**

**THE CITY OF EL PASO**


\_\_\_\_\_  
John F. Cook  
Mayor

**ATTEST:**


\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

*(Signatures continue on following page)*

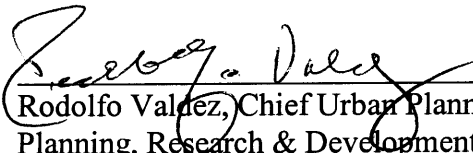
**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Carolyn J. Crosby  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Christina Valles, Planner II  
Planning, Research & Development  
Department

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development  
Department

Prepared for: Bryan Abraham  
A Portion of Lot 1, Block 10,  
Newport Estates Unit Two  
City of El Paso, El Paso County, Texas  
W.O.# 060305-4  
File name: GDieter\_mb.doc

## **PROPERTY DESCRIPTION**

(Rezoning from A-0 SC to C-1 SC)

Description of a 2.7619 acre parcel of land being a Portion of Lot 1, Block 10, Newport Estates Unit Two, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit:

Starting at an existing city monument located at the centerline intersection of George Dieter Drive and Robert Wynn Street, Thence North  $89^{\circ} 59' 31''$  West along the centerline of said Robert Wynn Street a distance of 80.50 feet to a point, Thence South  $00^{\circ} 00' 29''$  West a distance of 35.00 feet to point lying on the southerly right-of-way of Robert Wynn Street, said point being the "True Point of Beginning",

Thence South  $89^{\circ} 59' 31''$  East along said southerly right-of-way line a distance of 231.28 feet to a point;

Thence South  $00^{\circ} 30' 40''$  East a distance of 487.14 feet to a point lying on the northerly right-of-way line of Beach Front Drive;

Thence along the arc of a curve to the right a distance of 67.93 feet, a radius of 1400.46 feet, whose central angle is  $2^{\circ} 46' 46''$  and whose chord bears North  $85^{\circ} 53' 53''$  West a distance of 67.93 feet to a point lying on said northerly right-of-way line;

Thence along the arc of a curve to the left a distance of 152.75 feet, a radius of 1596.14 feet, whose central angle is  $5^{\circ} 29' 00''$  and whose chord bears North  $87^{\circ} 15' 01''$  West a distance of 152.70 feet to a point lying on said northerly right-of-way line;

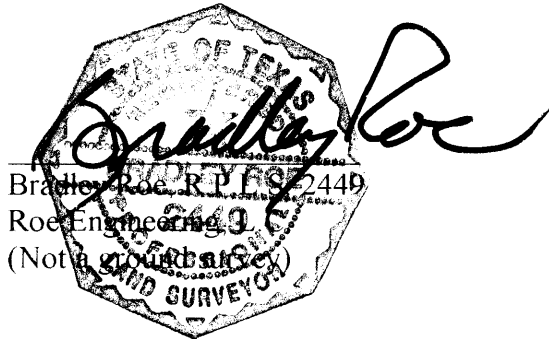
Thence North  $89^{\circ} 59' 31''$  West a distance of 11.45 feet to a point lying on said northerly right-of-way line;

Thence along the arc of a curve to the right a distance of 31.23 feet, a radius of 20.00 feet, whose central angle is  $89^{\circ} 28' 38''$  and whose chord bears North  $45^{\circ} 15' 12''$  West a distance of 28.15 feet to a point lying on the easterly right-of-way line of George Dieter Drive;

**EXHIBIT "A"**

Thence North  $00^{\circ}30'53''$  West a distance of 434.99 feet to a point lying on said easterly right-of-way line;

Thence along the arc of a curve to the right a distance of 31.60 feet, a radius of 20.00 feet, whose central angle is  $90^{\circ}31'22''$  and whose chord bears North  $44^{\circ}44'48''$  East a distance of 28.41 feet back to the "True Point of Beginning" and said parcel containing in all 120,308.75 square feet or 2.7619 acres of land more or less.



Bradley Roe, R.P.E.S. 2449  
Roe Engineering, L.L.C.  
(Not a groundbreaker)

JOHN COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER

GEORGE G. SARMIENTO, AICP  
DEPUTY DIRECTOR



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

October 4, 2005

**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager

**FROM:** Christina Valles, Planner II

**SUBJECT:** ZON05-00085

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The City Plan Commission (CPC), on September 22, 2005, voted **5 - 0** to recommend **APPROVAL** of this rezoning request, concurring with Staff's recommendation.

The CPC found that this rezoning request is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this rezoning request is in the best interest, health, safety and welfare of the public in general.

There was **one letter in OPPOSITION** to this request.

**Attachment:** Site Plan, Location Map, Letter.

## **STAFF REPORT**

**Rezoning Case:** ZON05-00085

**Property Owner(s):** SEAB, L.P.

**Applicant(s):** Bryan Abraham

**Representative(s):** Roe Engineering

**Legal Description:** A portion of Lot 1, Block 10, Newport Estates, Unit Two

**Location:** NE Corner of George Dieter and Beachfront

**Representative District:** # 5

**Area:** 4.4434 Acres

**Present Zoning:** A-O/sc (Apartment-Office/special contract)

**Present Use:** Vacant

**Proposed Zoning:** C-1/sc (Commercial/special contract)

**Proposed Use:** Retail Center

**Recognized Neighborhood Associations Contacted:** Eastside Civic Association

**Surrounding Land Uses:**

<b>North -</b>	A-O/sc (Apartment-Office/special contract) / Vacant
<b>South -</b>	A-O/sc (Apartment-Office/special contract) / Vacant, Post Office
<b>East -</b>	R-3 (Residential) / Singe-family residential
<b>West-</b>	R-3 (Residential) / Singe-family residential

**Year 2025 Designation:** Residential (East Planning Area)

**CITY PLAN COMMISSION HEARING, September 22, 2005  
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

**ITEM # 8**

**Zoning Case: ZON05-00085**

**General Information:**

The applicant is requesting a rezoning from A-O/sc (Apartment-Office/special contract) to C-1/sc (Commercial/special contract) in order to permit a retail center. The property is 4.4434 acres in size and is currently vacant. The proposed site plan shows a new shopping center to be located on the site. Access is proposed via George Deiter Drive, Beach Front Drive, and Robert Wynn Street. There is a condition n the property that requires a subdivision plat to be filed prior to the issuance of any building permits.

**Information to the Commission:**

The Planning Division has received **one letter in opposition** to this application.

**Staff Recommendation:**

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this request for rezoning from A-O/sc (Apartment-Office/special contract) to C-1/sc (Commercial/special contract) with the following condition.

“That a Detailed Site Development Plan be reviewed and approved by the City Plan Commission.”

The recommendation is based on the following:

**The Plan for El Paso** City-Wide Land Use Goals recommend that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”

**The Year 2025 Projected General Land Use Map** for the East Planning Area designates this property for Residential land uses.

**C-1/sc (Commercial/special contract) zoning** permits a Retail Center and **is compatible** with adjacent development.

The Commission must determine the following:

- A. Will the C-1/sc (Commercial/special contract) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will a Retail Center be compatible with adjacent land uses?



**Information To The Applicant:**

Building Permits and Inspections Division Notes:

Meets minimum yard, lot standards and parking requirements.  
Shall require 6ft. masonry screening wall abutting residential district.

Engineering Department, Development Division Notes:

No Comments.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns with the proposed zoning change subject to Site Plan Review showing median opening and proposed driveways.

Fire Department Notes:

No Comments.

El Paso Water Utilities Notes:

No objections.

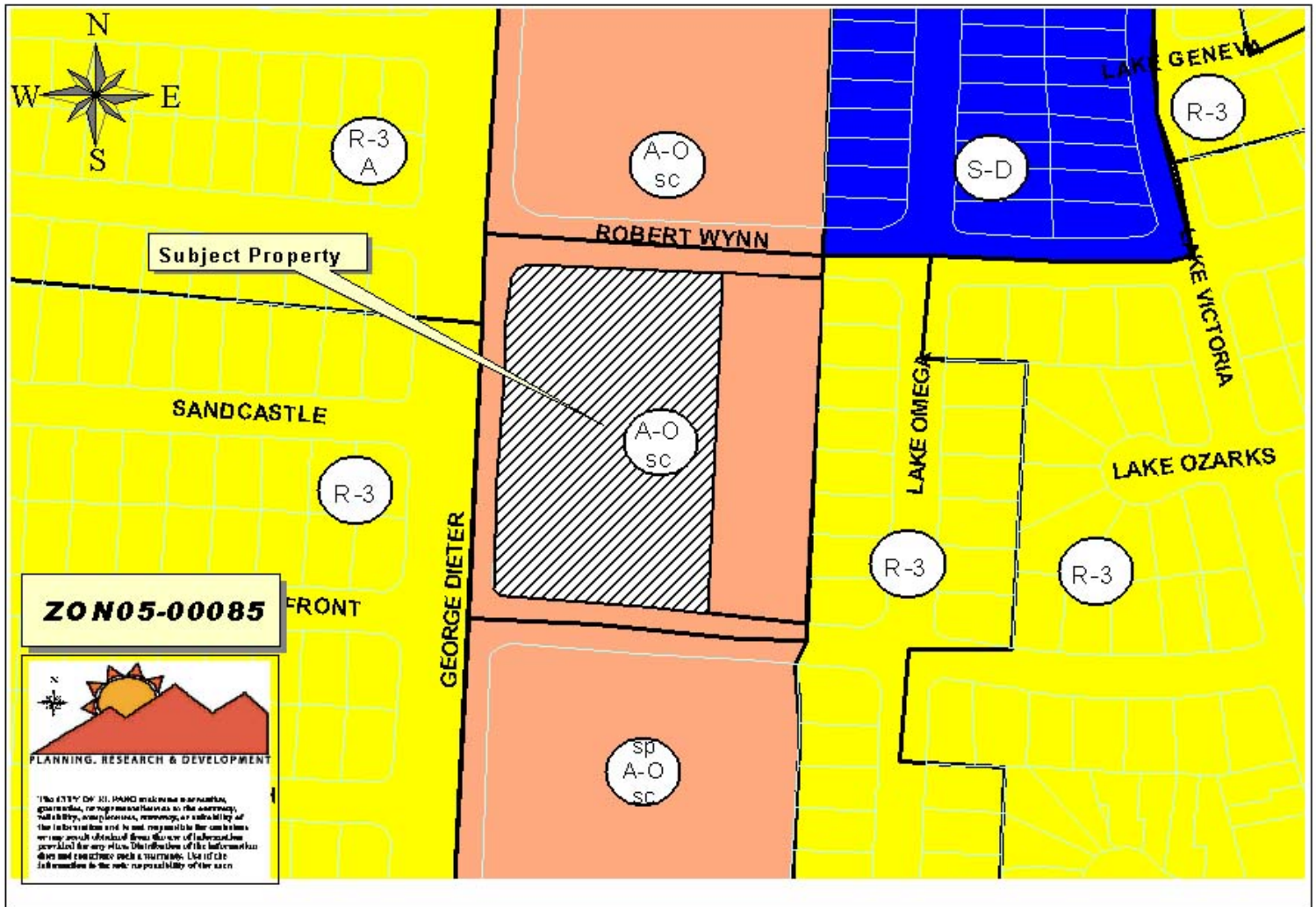
Planning Division Notes:

Recommend approval of the proposed rezoning request with detailed site development plan review and an A-O (Apartment-Office) between the proposed C-1 (Commercial) and any existing residential.

**ATTACHMENT:** Site Plan; Location Map, Letter.

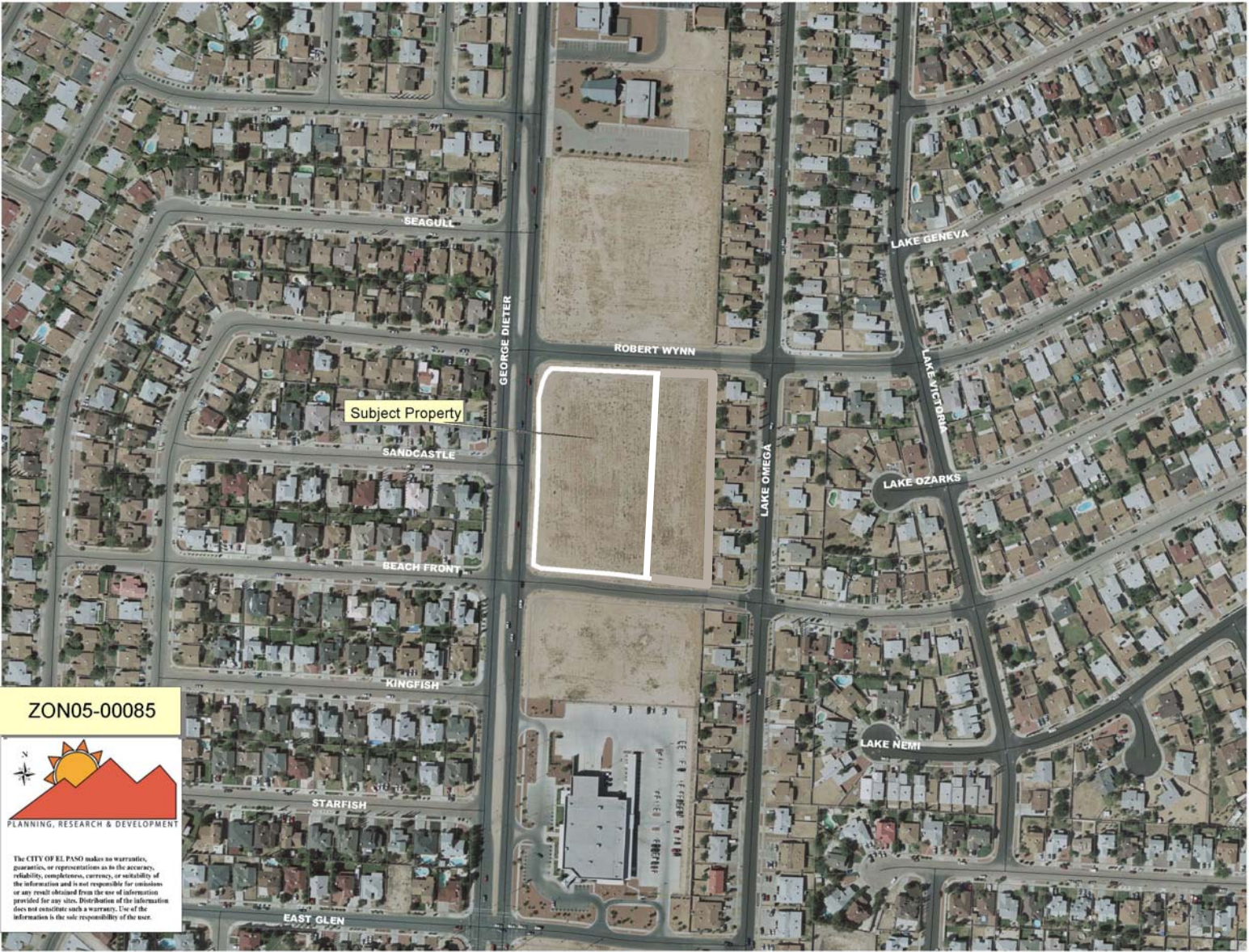
**NOTE TO THE PROPERTY OWNER:** CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (915) 541-4056.

## LOCATION MAP





AERIAL MAP





The site plan illustrates a proposed development with three main buildings: PROPOSED BUILDING "A" (a large rectangular structure at the bottom), PROPOSED BUILDING "B" (a U-shaped structure on the left), and PROPOSED BUILDING "C" (a rectangular structure on the right). The plan includes extensive parking areas with specific dimensions and spacing, such as "10' WIDE DRIVEWAY", "10' WIDE DRIVEWAY", and "10' WIDE DRIVEWAY". It also shows "PUBLIC ACCESS ROUTE" and "10' WIDE DRIVEWAY" along the perimeter. The site is bounded by "GEORGE DIETER DRIVE" to the north and "FOREST WYNN STREET" to the east. A scale bar at the bottom indicates "1" = 10' / 10' = 1". The plan number "20105-00086" is visible in the bottom right corner.

## GEORGE R. BARRETT

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2238 ROBERT WYNN STREET  
EL PASO, TEXAS 79936  
915-594-0320  
george\_barrett2003@yahoo.com

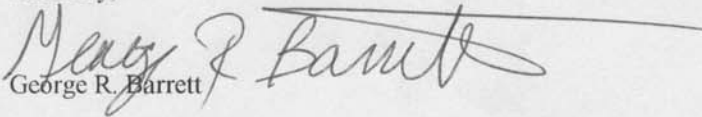
CITY PLAN COMMISSION  
(c/o PLANNING, RESEARCH AND DEVELOPMENT,  
2<sup>ND</sup> FLOOR, CITY HALL,  
2 CIVIC CENTER PLAZA,  
EL PASO, TEXAS 79901-1196)

TO: Whom it may concern

CASE NO: ZON05-00085

I am sending this correspondence to oppose the SEAB,L.P. request to change the zoning on their property located at the Northeast corner of George Dieter and Beachfront. When we moved into this area years ago it was all residential and over time business after business have saturated the neighborhood from Walgreens to Big O Tire Company. Traffic at the corner of George Dieter and Robert Wynn is of such high volume now that it takes several minutes to exit from Robert Wynn to George Dieter and with the addition of another business traffic will increase. Crime has already increase and another business will only serve to increase the kind of people that this neighborhood do not need .

Sincerely,

  
George R. Barrett